

US EPA RECORDS CENTER REGION 5



481124

DEC 1986

SHE-12

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Charles Himes  
707 Wildwood Avenue  
Elkhart, Indiana 46514

Re: Himeo Landfill

Dear Mr. Himes:

The United States Environmental Protection Agency (U.S. EPA) is in receipt of your response dated November 3, 1986, regarding the above referenced site. Your response causes the U.S. EPA concern because it is incomplete.

The information request issued under CERCLA 104(e) and RCRA 3007 requires you to answer the questions set forth as fully as possible. In your response to question #2 you state that there may be files in your possession which include invoices with pricing information, but that you did not search these files. This information is of interest to the U.S. EPA and should have been submitted as part of your response.

Your response states that Charles H. Himes Sr. was the sole owner of the landfill in the response to question #5. The U.S. EPA understands that you operated the above referenced site and would therefore have information on the daily disposal practices.

Your response included contracts with Niles Laboratories for waste disposal and in those contracts there were provisions for insurance. However, in your response to question #8, you state that you had no liability insurance. Please clarify this point.

The U.S. EPA requests you to search your records and submit any documents which may relate to the above referenced site. The U.S. EPA also requests that you address our concerns over your initial response to the information request. The information sought must be submitted to the U.S. EPA within ten(10) calendar days of your receipt of this letter.

Under Section 3008 of RCRA, 42 U.S.C. § 6928, failure to comply with this request may result in an order requiring compliance or in a civil action for appropriate relief. These provisions also provide for civil penalties. Failure to comply with this request under Section 104 of CERCLA, 42 U.S.C. § 9604, may result in a civil enforcement action being brought against you by the U.S. EPA.

Your response should be sent to:

Susan Swales  
U.S. Environmental Protection Agency  
CERCLA Enforcement Section SHE-12  
230 South Dearborn Street  
Chicago, Illinois 60604

Sincerely,

~~ORIGINAL SIGNED BY~~  
~~WILLIAM E. MUNO FOR~~

ORIGINAL SIGNED BY  
WILLIAM H. MINER

William Miner, Chief  
Hazardous Waste Enforcement Branch

cc: Gregory Church

bcc: V. Franklin ORC

SHE-12: CERCLA: ESU: SSwales: sw: 11/25/86

12/1/86

CHY  
12/1/86

DAB for N.N.  
CES/12-2-86

WHL  
12/4/86